

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DTE METHANE RESOURCES, LLC,

Plaintiff,

v.

STEELHEAD DEVELOPMENT COMPANY,

et al.,

Defendants.

Case No. 4:05-cv-4188-JLF

**ORDER**

This matter is before the Court on the First Motion to Amend filed by the Plaintiff, DTE Methane Resources, LLC, on November 7, 2005 (Doc. 27) and the Second Motion to Amend filed by the Plaintiff on November 8, 2005 (Doc. 29). The First Motion to Amend is **MOOT** and the Second Motion to Amend is **GRANTED**.

Federal Rule of Civil Procedure 15(a) provides that a party may amend a pleading and that leave to amend “shall be freely given when justice so requires.” However, leave to amend may be denied if there is “undue delay, bad faith, dilatory motive, prejudice, or futility.” Guise v. BWM Mortgage, LLC., 377 F.3d 795, 801 (7<sup>th</sup> Cir. 2004). The granting or denying of a motion to amend is reviewed for an abuse of discretion. Butts v. Aurora Health Care, Inc., 387 F.3d 921, 925 (7<sup>th</sup> Cir. 2004).

No party has objected to the amendment. The Plaintiff shall file its amended complaint by **December 15, 2005**.

**DATED: December 12, 2005**

s/ Donald G. Wilkerson  
**DONALD G. WILKERSON**  
**United States Magistrate Judge**